

REMARKS

Pending Claims

Claims 1-23 are pending in this application. Claims 9, 10 and 12-15 have been canceled without prejudice or disclaimer. Claim 1 has been amended. New claims 17-23 have been added. No new matter has been added.

Claim Rejections under 35 USC §102

Claims 9, 10 and 12-15 have been rejected under 35 U.S.C. §102(e) as being anticipated by Smith, U.S. Patent 6,067,582; and claims 1-16 have been rejected under 35 U.S.C. §102(e) as being anticipated by Kroening, U.S. Patent No. 6,859,924.

Reconsideration of the rejection of claims 9, 10 and 12-15 under 35 U.S.C. § 102(e), is rendered moot by the cancellation of these claims without prejudice or disclaimer. Further, Applicants submit that the features of the present invention, as now more clearly recited in the claims, are not taught or suggested by Kroening. Therefore, Applicants respectfully request the Examiner to reconsider and withdraw the rejection under 35 U.S.C. §102(e) based on Kroening for the following reasons.

Amendments have been made to the claims to more clearly describe features of the present invention. Specifically, the claims have been amended to more clearly describe the present invention. With respect to claim 1, as an example, a software installation method is now claimed that comprises storing identification information for identifying a user's computer system and system configuration information, associated with the identification

information, indicating hardware components of the user's computer system. The software components are defined to be those required for operation of each of the hardware components. The identification information of the user's computer system is accepted from the user's computer system and the software components required for operation of the hardware components of the user's computer system is determined from the stored system configuration information associated with the accepted identification information. Kroening does not disclose or suggests these features of the claimed combination.

Kroening, in contrast, fails to show or suggest at least the above limitation as recited in claim 1. Kroening merely discloses a restore system comprising a vendor computer system and a customer computer system which requires downloading software components from the vendor computer system. Rather, in Kroening, software components to be downloaded correspond to application programs and are therefore not comparable to the claimed software components of the present invention, which are required for operation of each of the hardware components of the user's computer system. Application programs depend on or are associated with the computer systems of the user's computer, not the hardware components. Therefore, Kroening only needs to identify the user's computer system, which can be done using identification data, such as customer information (e.g., a vendor assigned customer number or account number, a serial number for a computer system, a serial number for another component such as a CPU, or some other similar identifier).

Although Kroening refers to a serial number of another component such as a CPU,

this number is simply used for identifying a build-to-order computer system as a whole which a customer owns. The customer simply selects a custom software configuration. See col. 6, line 64 through col. 7, line 6 of the reference. Kroening does not allow for the vendor computer system to determine and send specific software components that depend on specific hardware components in the customer's or user's computer system, as in the present invention. According to the present invention, specific software components which depend on specific hardware components of the user's computer system are sent to the user's computer system.

Further, Kroening does not disclose or suggest downloading or sending software components, such as device drivers, which depend on hardware components, such as peripheral devices, of a customer's computer system. Therefore, new claims 17-23 that have added are also patentable over the art of record and in particular Kroening. Accordingly, these claims should be allowed for the foregoing reasons.

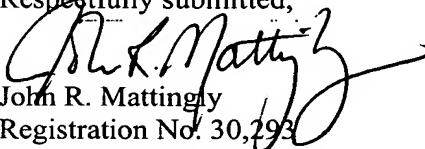
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Conclusion

In view of the foregoing amendments and remarks, Applicants contend that the above-identified application is now in condition for allowance. Accordingly, reconsideration and reexamination is requested.

Respectfully submitted,


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